

HOUSE BILL 75

By Dean

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1, Part 1, relative to the photographing
and recording of juveniles under certain
circumstances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-155, is amended by adding the
following new subsection:

(e)

(1) Notwithstanding any other provision of law to the contrary, a law
enforcement officer, while acting in the course of official duties, may photograph,
make a video recording and/or make an audio recording of a juvenile in the
following circumstances:

(i) the juvenile is in the process of committing an offense;

(II) the law enforcement officer is conducting field sobriety tests
based upon suspicion that the juvenile is driving under the influence of an
intoxicant; or

(iii) the juvenile is the victim of an offense and consents to such
photographing or recording.

(2) Any such photograph or recording shall be made solely for use as
evidence, and if no charges are brought against the juvenile within the applicable
statute of limitations for the offense under investigation, such photograph and/or
recording shall be destroyed unless a court of competent jurisdiction orders
otherwise.

(3) Notwithstanding any other provision of law to the contrary, any such
photograph and/or recording shall not be considered a public record and shall not

be released to the public except by order of the court having jurisdiction over the charges brought against the juvenile.

SECTION 2. This act shall take effect on July 1, 2007, the public welfare requiring it.